

# SENATE BILL REPORT

## SB 5479

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As Reported by Senate Committee On:  
Commerce, Labor & Sports, February 16, 2017

**Title:** An act relating to establishing a shared parental leave program.

**Brief Description:** Establishing a shared parental leave program.

**Sponsors:** Senators Saldaña, Miloscia, Hasegawa, Chase, Hunt, Darneille, Ranker, Conway, Wellman, Cleveland, Keiser, Carlyle, Liias, Kuderer, Pedersen and Frockt.

**Brief History:**

**Committee Activity:** Commerce, Labor & Sports: 2/16/17, 2/16/17 [DP-WM].

**Brief Summary of Bill**

- Establishes a parental leave sharing program for state employees to provide leave to their spouses or domestic partners for the purposes of child care.

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### SENATE COMMITTEE ON COMMERCE, LABOR & SPORTS

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Keiser, Ranking Minority Member; Conway, Hasegawa, King, Rossi, Saldaña and Wilson.

**Staff:** Jarrett Sacks (786-7448)

**Background:** In 1989, the Legislature established a leave sharing program for state and school district employees. The leave sharing program allows employees who have exhausted their accrued leave to use additional paid leave donated by their colleagues under certain qualifying circumstances.

An employee may benefit from the leave sharing program if the employee:

- suffers from an illness, injury, impairment, or physical or mental condition of an extraordinary or severe nature;
- has been called to service in the armed forces;
- is responding in service to a devastated area in a declared emergency; or

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

- is a victim of domestic violence, sexual assault, or stalking.

In order to qualify for the leave program, the employee must be likely to go on leave-without-pay status or termination of employment as a result of a qualifying circumstance.

The amount of shared leave an employee may receive is determined by the agency head and may not exceed the requested amount, up to 522 days unless extraordinary circumstances apply.

**Summary of Bill:** A parental leave sharing program is created to permit state employees, at the discretion of their agency head, to provide annual leave, sick leave, or personal holidays to their state employee spouse or domestic partner for purposes of child care, maternal leave, and paternal leave. The agency head determines the amount of leave, if any, an employee may receive.

Employee-spouses of different agencies may transfer leave with the approval of the heads of both agencies. All salary and benefits made to employees while taking shared parental leave are made by the agency employing the person receiving the leave. The value of the leave transferred is based on the leave value of the person receiving the leave. The agencies involved arrange for the transfer of funds and credit for the appropriate value of leave, subject to rules created by the Office of Financial Management (OFM). OFM may adjust the appropriation authority of an agency receiving funds if an agency's appropriation authority would prevent it from expending the funds received.

An employee taking shared parental leave continues to be classified as a state employee and receives the same treatment with regard to wages, salary, and benefits as the employee would normally receive if using other types of leave.

**Appropriation:** None.

**Fiscal Note:** Requested on February 16, 2017.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Parental leave is not currently included in the shared leave program. The bill supports families and ensures kids get adequate care from their parents during formative years. The bill makes the state a little more family friendly by giving families greater flexibility.

**Persons Testifying:** PRO: Senator Rebecca Saldaña, Prime Sponsor; Dennis Eagle, Washington Federation of State Employees; Jessie Turner, National Organization for Women.

**Persons Signed In To Testify But Not Testifying:** No one.